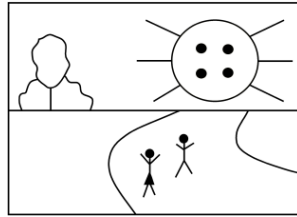


Button Lane Primary School



Equality Policy

(Leadership & Management File)

Reviewed by governing body on 21 November 2024	Next Review date November 2025
Signed by Chair of Governors Lynda Dyson	Signed by Headteacher Emma Roberts
Written By Fusion HR	Presented to Full Governing Body

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1.0 PURPOSE OF THE POLICY

- 1.1 This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 1.2 We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

2.0 POLICY STATEMENT

- 2.1 Button Lane Primary School is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.
- 2.2 We do not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (protected characteristics). Amended in line with the Equality Act 2010.
- 2.3 The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, Governors, third party Organisations and former staff members.
- 2.4 All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status.
- 2.5 Button Lane Primary School will avoid unlawful discrimination of any kind in all aspects of recruitment and employment.
- 2.6 We will recruit, train, develop and promote on the basis of merit, skills, qualifications and abilities alone. Where a decision needs to be made, whether it is on pay rises and bonuses or disciplinary action, this will only ever be based on an individual's performance and contribution to the Button Lane Primary School.

3.0 WHO IS COVERED BY THE POLICY?

- 3.1 This policy covers all individuals working at all levels and grades, including members of the senior leadership team, teachers, teaching assistants, learning mentors, support staff, trainees, home workers, part-time and fixed-term employees, volunteers, interns, casual workers and agency staff (collectively referred to as staff in this policy).

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4.0 PROCEDURE

- 4.1 All HR procedures and conditions of service are reviewed on a regular basis, to identify and eliminate processes, practices or eligibility criteria which may discriminate (directly or indirectly) against any particular group or category of applicant and employee.
- 4.2 Personnel records will be kept in a format which enables analysis to be made of the numbers of job applicants, appointments and employees against various categories.
- 4.3 Effective monitoring will help us ensure that current recruitment, promotion, training and general employment practices are reaching and protecting all potential candidates and help to guard employees against any potential for discrimination.
- 4.4 In addition to the specific procedures in place with regard to the recruitment and selection of individuals for appointment and/or training opportunities, we have specific procedures covering harassment and bullying.

Responsibility

- 4.5 Button Lane Primary School, has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Headteacher.
- 4.6 All members of the senior leadership team within Button Lane Primary School must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. Button Lane Primary School has overall responsibility for equal opportunities training.
- 4.7 If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Fusion HR.

5.0 TYPES OF UNLAWFUL DISCRIMINATION

- 5.1 There are various forms of discrimination and to varying degrees. Discrimination does not always represent a physical or conscious activity, but can simply be part of a working practice which is of detriment to one group or person over another. How one individual perceives behaviour can be very different to how another colleague may perceive it.

Direct Discrimination

- 5.2 Direct discrimination applies to the protected characteristics of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage or civil partnership, pregnancy and maternity. An employer will directly discriminate if they treat a person less favourably than another person because of a protected characteristic they have, or are thought to have (known as perceived discrimination), or because they associate with someone who has a protected characteristic known as associate discrimination.

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- 5.3 An example of direct sex discrimination would be refusing to employ a woman because she was pregnant.

Associative Discrimination

- 5.4 Associative discrimination is direct discrimination against an individual because they associate with another person who possesses a protected characteristic. Associative discrimination applies to the protected characteristics of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.
- 5.5 An example of associative discrimination might be where an employer refuses to promote an employee who they know has a disabled parent living at home. The employer believes the employee will be unable to carry out their new role effectively due to caring responsibilities for the parent. This would be discrimination against the employee because of their association with a disabled person.

Perceptive Discrimination

- 5.6 Perceptive discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic. Perceptive discrimination applies to the protected characteristics of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. It applies even if the person does not actually possess that characteristic.
- 5.7 An example of perceptive discrimination might be where an employer does not allow an employee to represent Button Lane Primary School at a national awards ceremony as Management thinks they are too young. In fact, the employee is much older than they look. direct discrimination applies to the protected characteristics of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership.
- 5.8 An example of indirect discrimination might be failing to provide religiously appropriate food when catering. If this action cannot be objectively justified and is to the individual's detriment, then the practice, policy or specific criteria would be unlawful.

Harassment

- 5.9 Harassment occurs when another person engages in unwanted conduct, related to a relevant protected characteristic, which may violate the person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment for that person. Employees can complain of behaviour they find offensive even if it is not directed at them and they do not need to possess the relevant protected characteristic themselves. Harassment applies to all protected characteristics except for marriage or civil partnership, and pregnancy and maternity. Employees are also protected from harassment because of perception and association.
- 5.10 An example of harassment would be where a 19-year-old employee is frequently humiliated by her predominantly middle-aged female work colleagues making references to her youth and lack of experience. The 19-year-old complains to her line manager who does not take the complaint seriously and allows the hostile banter to continue. This would constitute harassment relating to age.

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Victimisation

- 5.11 Victimisation makes it unlawful for one person to treat another badly because that person has made or supported a complaint, or raised a grievance, under the Equality Act 2010, or because they are suspected of doing so.
- 5.12 An example would be where an employee raises a grievance because he feels he has been discriminated against by his manager because he is gay. One of his colleagues supports him by corroborating what he has said. The complaint is resolved through the Schools grievance procedures; however, both employees are then given poorer quality work by their manager and as a result earn less commission. Both employees could claim victimisation based on less favourable treatment for raising and supporting a complaint of discrimination on the ground of sexual orientation.

Failure to Make Reasonable Adjustments

- 5.13 Where arrangements disadvantage an individual because of a disability, employers are expected to make reasonable adjustments to overcome the disadvantage. To not make those reasonable adjustments would be discrimination on the grounds of disability.
- 5.14 An example would be where a building only has steps for access. If it is reasonable to do so, the employer should install a ramp.

6.0 RECRUITMENT AND SELECTION

- 6.1 Button Lane Primary School aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Short listing of applicants will be done by more than one person wherever possible.
- 6.2 Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. We take steps to ensure that our vacancies are advertised to a diverse labour market.
- 6.3 Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which will only be used with the HR's approval. For example:
- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
 - Positive action to recruit disabled persons.
 - Equal opportunities monitoring (which will not form part of the decision-making process).

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- 6.4 Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of a <<HR Advisor>> (who will first consider whether such matters are relevant and may lawfully be taken into account).
- 6.5 We are required by law to ensure that all staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, will be expected to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.
- 6.6 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the School, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary, and it will not adversely affect an applicant's chances of recruitment, or any other decision related to their employment. The information is removed from applications before short listing and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

7.0 STAFF TRAINING, PROMOTION AND CONDITIONS OF SERVICE

- 7.1 Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the School and all promotion decisions will be made on the basis of merit.
- 7.2 Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the School. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- 7.3 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they afford equal opportunities for all.

Termination of employment

- 7.4 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 7.5 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

Disability discrimination

- 7.6 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriately.

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- 7.7 If you experience difficulties at work because of your disability, you may wish to contact your line manager or Human Resources to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager or a member of the HR team may wish to consult with you and a medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.
- 7.8 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

Zero hours, Fixed-term employees and agency workers

- 7.9 We monitor our use of zero hours and fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

Part-time work

- 7.10 We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

8.0 BREACHES OF THIS POLICY

- 8.1 If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter with your line manager and / or a member of the HR team.
- 8.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.
- 8.3 Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.
- 8.4 This policy does not form part of any employee's contract of employment and may be amended at any time.

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